

SECOND REGULAR SESSION

SENATE BILL NO. 1148

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOSTER.

Read 1st time February 18, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5080S.011

AN ACT

To amend chapter 379, RSMo, by adding thereto one new section relating to mandating automobile insurance discounts for the installation of anti-theft mechanisms.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 379, RSMo, is amended by adding thereto one new section, to be known as section 379.1450, to read as follows:

379.1450. 1. All insurance companies, reciprocal or inter- insurance exchanges authorized to write private automobile insurance, as defined in section 374.450, RSMo, within this state shall provide premium discounts for motor vehicles equipped with anti-theft mechanisms. These discounts shall apply to the comprehensive coverage and shall not be less than ten percent. Some or all of the premium discounts required by this subsection may be omitted upon demonstration to the director that the discounts are duplicative of other discounts provided by the insurer. In no event shall the non-use of an anti-theft mechanism constitute grounds for an increase in policy premiums or cancellations or non-renewal of a private automobile insurance policy.

2. Insurers may require reasonable evidence of installation of any anti-theft mechanism but the insurer may not make requests so onerous as to effectually discourage the owner of the automobile from seeking the applicable discount.

3. As used in this section, the term "anti-theft mechanism" shall mean any passive or active anti-theft system and passive or active anti-theft devices permanently installed, either as original equipment from the manufacturer or as after market equipment on the vehicle, that is

21 **designed to inhibit the theft of the vehicle or its components.**

22 **4. The director shall promulgate rules and regulations to**
23 **implement the provisions of this section. Any rule or portion of a rule,**
24 **as that term is defined in section 536.010, RSMo, that is created under**
25 **the authority delegated in this section shall become effective only if it**
26 **complies with and is subject to all of the provisions of chapter 536,**
27 **RSMo, and, if applicable, section 536.028, RSMo. This section and**
28 **chapter 536, RSMo, are nonseverable and if any of the powers vested**
29 **with the general assembly pursuant to chapter 536, RSMo, to review, to**
30 **delay the effective date, or to disapprove and annul a rule are**
31 **subsequently held unconstitutional, then the grant of rulemaking**
32 **authority and any rule proposed or adopted after August 28, 2008, shall**
33 **be invalid and void.**

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Bill

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